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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/072,807	02/07/2002	Jacques Prodel	47770/DBP/N75	3679

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EXAMINER

VALENZA, JOSEPH E

ART UNIT	PAPER NUMBER
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3651

DATE MAILED: 12/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/072,807	Applicant(s) PRODEL ET AL.	
	Examiner Joseph Valenza	Art Unit 3651	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 November 2003.
- 2a) ☒ This action is FINAL.      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6 and 7/6 is/are allowed.
- 6) ☒ Claim(s) 1-5, 7/5-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                             | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other:  |

### DETAILED ACTION

1. Claims 1, 2 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oyama et al.

Transporter 13B with gripper 16 carries part M from distributor 5 to positioning tool 7. Manipulator 70 with gripper 73 then carries the part to the positioning receptacle on support 6. It would be obvious that support 6 can be called an immobilized pallet because it performs the same function. With regard to claim 2, the relative levels of the distributor, positioning tool and positioning receptacle are not critical to the operation of the system as claimed and are not considered to be patentable over the height differences between the similar structures in Oyama et al.

2. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Oyama et al in view of Vaerman.

It would have been obvious that the 2 dimensionally movable gripper 13B of Oyama et al could be a 3 dimensionally movable gripper like gripper means 2-7 of Vaerman.

3. Claims 5, 7/5 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oyama et al in view of McLennan.

It would have been obvious that manipulator 70 with gripper 73 of Oyama et al could be modified to rotate horizontally instead of reciprocate horizontally as taught by vertically and horizontally pivotal manipulator 34 of McLennan.

4. Claims 6 and 7/6 are allowed.

5. Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oyama et al in view of McLennan and Beers or Stuckey.

It would have been obvious to add the teachings of centering means 62 on gripper 42 of Beers or centering means 96, 97 on gripper 38 or 42 of Stuckey to the gripper 73 of Oyama et al.

6. Claims 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oyama et al in view of McLennan and Beers or Stuckey and Hisao.

It would have been obvious to add the teaching of elastic means 9f and 9d of Hisao to the structure of paragraph 5.

7. Claim 14 is rejected under 35 U.S.C. 112 for being an improper dependent claim. The preamble of claim 14 is directed to an invention different from that in claim 1.

8. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Oyama et al in view of Stricht.

It would have been obvious to add the teaching of circulating pallets to a station where a stopped pallet is loaded a gripper conveyor as taught by Stricht to Oyama et al.

9. Claim 15 is rejected under 35 U.S.C. 112 for the following reasons.

The claim is indefinite due to the lack of a proper antecedent for "support arm". The claim is also incomplete because the actuator to carry and move the support arm must be claimed to allow the method steps to be performed. Note there will no difference between claims 6 and 15 once these corrections are made.

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10. Any inquiry concerning this communication should be directed to Joseph E. Valenza at telephone number (703) 308-2577. Amendments may be faxed to (703) 872-9306. My normal work week is Monday through Thursday.

A handwritten signature in black ink, reading "Joseph Valenza". The signature is written in a cursive style with a large, looping initial "J" and a trailing flourish.

JOSEPH E. VALENZA  
PRIMARY EXAMINER